

REMARKS

Claims 1, 5-6, 10, 12 and 15-17 are pending in this application. By this Amendment, claims 3, 7, 13 and 14 are cancelled without prejudice or disclaimer and claims 1, 6, 10 and 12 are amended.

The Office Action objects to claim 3. By this Amendment, claim 3 is deleted. Thus, the objection is moot.

The Office Action rejects claims 1, 3, 5-6, 10 and 13-17 under 35 U.S.C. §112, first paragraph, because the specification does not reasonably provide enablement for the claimed specimen conveying part for "reciprocally" conveying the specimen rack. By this Amendment, independent claim 1 is amended to recite the specimen rack conveying part having an ongoing path and an incoming path, for reciprocally conveying the specimen pack received from the specimen introducing part, to and from at least two analyzing parts. For example, the specification describes that the rack conveying part 20 includes an ongoing path 21 on which the specimen rack is advanced from the specimen storage part 6, and an incoming path 22 on which the rack is advanced in a direction reverse to that of the ongoing path. See page 10, lines 6-13 of the present specification. It is respectfully submitted that the specification describes this feature and therefore the specification satisfies 35 U.S.C. §112, first paragraph. Withdrawal of the rejection under 35 U.S.C. §112, first paragraph, is respectfully requested.

The Office Action rejects claim 10 under 35 U.S.C. §112, second paragraph. It is respectfully submitted that the above amendment to claim 10 obviates the

grounds for rejection. That is, there is proper antecedent basis for "the analyzing parts." Withdrawal of the rejection is respectfully submitted.

The Office Action rejects claims 1, 5-6, 10, 12, and 15-17 under 35 U.S.C. §103(a) over U.S. Patent 5,232,081 to Kanamori in view of U.S. Patent 5,087,423 to Ishibashi. The rejection is respectfully traversed.

Independent claim 1 recites, inter alia, a specimen introducing part, at least two analyzing parts having different functions and having substantially equal widths, a reexamining buffer and a specimen storage part. Independent claim 1 further recites the specimen introducing part, the analyzing parts having the different functions, the reexamining buffer and the specimen storage part being coupled to one another in rear of them by the specimen conveying part (having an ongoing path and an incoming path). With this configuration, the external appearance of the biochemical analyzer may be smart and aesthetic even though several modules are integrated therein. Further, in this arrangement, the specimen racks can be conveyed freely among the specimen introducing part, the analyzing parts having different functions, the reexamining buffer and the specimen storage part through the ongoing path and the incoming path under the control of a control part.

Kanamori and Ishibashi, either alone or in combination, do not teach or suggest all these features of independent claim 1. That is, Kanamori and Ishibashi do not teach or suggest a specimen introducing part, a specimen rack conveying part having an ongoing path and an incoming path, for reciprocally conveying the specimen rack received from the specimen introducing part, to and from at least two

analyzing parts having different functions and having substantial equal widths, in combination with the other features of independent claim 1, including the specimen introducing part, the analyzing parts having the different functions, the reexamining buffer and the specimen storage part being coupled to one another in rear of them by the specimen rack conveying part.

Additionally, independent claim 1 recites that the specimen introducing part the analyzing parts having different functions, the reexamining buffer and the specimen storage part having heights measured from the floor, which are substantially equal to one another, and depths which are substantially equal to one another. Thus, each of the analyzing parts can be readily replaced with another one whenever it fails or an additional analysis is required, with no (or little) influence upon the specimen conveying part. The applied references also do not teach or suggest these features.

For at least the reasons set forth above, independent claim 1 defines patentable subject matter. Independent claim 6 defines patentable subject matter for at least similar reasons as claim 1. Additionally, independent claim 6 recites the specimen introducing part, the analyzing parts, the reexamining buffer and the specimen storage part having widthwise dimensions which are multiples of the longitudinal lengths of the specimen rack, including 1. Kanamori and Ishibashi, either alone or in combination, do not teach or suggest at least this additional feature of independent claim 6. Thus, independent claim 6 defines patentable matter.

Claims 5, 12 and 15-17 depend from claim 1 and claim 10 depends from claim 6, and therefore define patentable subject matter for at least this additional reason. In addition, the dependent claims also recite features that further and independently distinguish over the applied references.

CONCLUSION

In view of the foregoing, it is respectfully submitted that the above-identified application is in condition for allowance. Favorable consideration and prompt allowance of claims 1, 5-6, 10, 12 and 15-17 are respectfully requested.

Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, or credit any overpayment of fees, to the deposit account of Antonelli, Terry, Stout & Kraus, LLP, Deposit Account No. 01-2135 (referencing case no. 500.37156CX1).

Respectfully submitted,



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